

January 27, 2024

Nancy Marconi
Registrar
Ontario Energy Board
2300 Yonge Street
P.O. Box 2319
Toronto, Ontario
M4P 1E4

Dear Ms Marconi:

EB-2023-0195 – Toronto Hydro-Electric System Limited – 2025-2029 Rates

We are consultants to the Consumers Council of Canada (Council) in the above-referenced proceeding. By letter dated November 17, 2023, Toronto Hydro-Electric System Limited (THESL) requested confidential treatment pursuant to the Practice Direction on Confidential Filings. THESL has set out a list of documents for which it is seeking confidential treatment. As part of its request THESL is seeking confidential treatment for what has been characterized as labour sensitive information. This includes portions of the following exhibits:

- Exhibit 4, Tab 4, Schedule 2 (Appendix 2K)
- Exhibit 2A, Tab 4, Schedule 2 (Appendix 2-D)
- Exhibit 4, Tab 4, Schedule 2
- Exhibit 2A, Tab 4, Schedule 2

THESL is arguing that disclosure of this information could significantly prejudice its position in current and upcoming labour negotiations. On January 24, 2024, THESL re-filed the relevant evidence regarding 2024 and 2025 labour costs given those years are now covered by collective agreements with all of the utility's bargaining units. THESL removed the redactions for 2024 and 2025, but the redactions remain for the years 2026-2029.

We have reviewed the submissions filed by the School Energy Coalition (SEC) on January 24, 2024, regarding THESL's confidentiality request. We fully support those submissions. SEC has concluded that given the importance of the information and the lack of any specificity on how the information THESL seeks confidential treatment for may cause significant prejudice if publicly disclosed, the OEB should deny the request. This is an unprecedented request. Labour costs form a significant part THESL's revenue requirement. It is important that those costs are scrutinized and from the ratepayer perspective, scrutinized in the public domain. We agree that THESL's request should be denied with respect to their labour costs.

Please feel free to contact me if you have questions.

Yours truly,

Julie E. Girvan

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CC: All parties